

Guide for Review of Lead-Based Paint Compliance in Acquisition, Leasing, Support Services, or Operations			
Name of Program Participant:			
Staff Consulted:			
Name of Grant Program(s) Reviewed:			
Project File Name/Location:		Date Funds Awarded:	
Name(s) of Reviewer(s):		Date:	

NOTE: All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, HUD must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements, but are included to assist the reviewer in understanding the participant's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

Instructions: This Exhibit is designed to monitor programs involving acquisition (including homebuyer assistance), leasing, support services, or operations. Examples of this type of assistance include, but are not limited to: downpayment assistance, acquisition or leasing of a homeless facility, utility payments for a person with AIDS if a child under age six resides, or payment of security deposits. Other examples are payment of the day-to-day expenses of housing for the homeless, and assistance for various support services that are provided on-site at a residential facility. The Exhibit is divided into two sections. Section A and Section B. Section A pertains to examination of individual files to assess project compliance. A separate Section A is to be completed for each project file reviewed. Section B contains questions evaluating overall program compliance. A single Section B is to be completed, based upon the responses from the individual file reviews and in conjunction with participant program staff interviews. Information on LBP sampling guidance and developing corrective actions is given in Chapter 24, Section 24-6.

Questions:

A. INDIVIDUAL FILE REVIEW

1.

Was this project evaluated for applicability of the Lead Disclosure Rule and the Lead Safe Housing Rule? (If the response is “yes” AND the project meets the regulatory exemption standards, skip to Section B. If “yes” and the project is <u>not</u> exempt, continue with the remaining questions in Section A.) [24 CFR 35.3 and 24 CFR 35.115]	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion: 		

2.

Is there documentation in the file that the occupants of the unit(s) in the assisted property were provided the pamphlet, “Protect Your Family from Lead in Your Home,” at move-in or immediately after the assistance was provided (e.g., a signed copy of the pamphlet or a signed disclosure form)? [24 CFR 35.1010(b)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion: 		

3.

Was a visual assessment of the assisted unit, common areas and exterior performed by a trained individual (e.g., visual assessment report or field notes)? [24 CFR 35.1015(a)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion: 		

Exhibit 24-5
Lead-Based Paint Compliance

6509.2 REV-5

4.

a. If paint stabilization above the <i>de minimis</i> amounts was performed, is there documentation in the file that the paint stabilization was performed by trained or supervised workers using lead safe work practices (e.g., language in the work write-up, contract with workers, or signed notice of training completion)? [24 CFR 35.1015(b); 24 CFR 35.1330(a)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Describe Basis for Conclusion: 			

b. Based on your review, were occupants and their belongings protected during work (e.g., documentation of relocation, language in rehabilitation contract, homeowners' agreement, or other appropriate document)? [24 CFR 35.1345]	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Describe Basis for Conclusion: 			

5.

If paint stabilization above the <i>de minimis</i> amount was performed, is there documentation in the file that the paint stabilization was performed before occupancy of a vacant dwelling unit or where a unit is occupied, immediately after receipt of Federal assistance? [24 CFR 35.1015(b); 24 CFR 35.1010(a)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Describe Basis for Conclusion: 			

Exhibit 24-5
Lead-Based Paint Compliance

6.

If the visual assessment identified deteriorated paint above the <i>de minimis</i> amounts, is there a clearance report by an independent clearance examiner in the file that documents that all paint was stabilized and that the work areas passed clearance? [24 CFR 35.1015(b)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Describe Basis for Conclusion: <div style="height: 150px; border: 1px solid black;"></div>			

7.

If paint stabilization above the <i>de minimis</i> amounts was performed, is there documentation that a Notice of Lead Hazard Reduction was provided to the affected occupants? [24 CFR 35.1015(d)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Describe Basis for Conclusion: <div style="height: 150px; border: 1px solid black;"></div>			

B. PROGRAM REVIEW

8.

Does the program consistently and accurately assess projects for possible exemption from the requirements of the Lead Safe Housing Rule? [24 CFR 35.115]	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion: <div style="height: 100px; border: 1px solid black;"></div>		

Exhibit 24-5
Lead-Based Paint Compliance

6509.2 REV-5

9.

Does the program participant have staff who are knowledgeable about HUD's lead-based paint regulations? [24 CFR 35.170]	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion:		

10.

Do applicants consistently receive copies of the Lead Hazard Information Pamphlet? [24 CFR 35.1010(b)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion:		

11.

Are visual assessments for deteriorated paint being conducted in all units subject to the Lead Safe Housing Rule? [24 CFR 35.1015(a)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion:		

Exhibit 24-5
Lead-Based Paint Compliance

12.

If the program participant was the seller or lessor: the lead warning statement, disclosure of known information on lead-based paint, and acknowledgement of receipt of this information by the buyer or lessee> [24 CFR 35.88]	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Describe Basis for Conclusion: <div style="height: 100px; border: 1px solid black;"></div>			

13.

If rehabilitation of an assisted unit is being performed in addition to the unit's acquisition, does the program participant follow the requirements of Subpart J, Rehabilitation? [24 CFR 35.915, Technical Amendment]	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Describe Basis for Conclusion: <div style="height: 100px; border: 1px solid black;"></div>			

14.

After paint stabilization above the <i>de minimis</i> amounts, is clearance consistently performed and passed prior to occupancy or immediately after receipt of Federal assistance? [24 CFR 35.1015(b)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion: <div style="height: 100px; border: 1px solid black;"></div>		

15.

Does the program ensure that applicants are not being denied services based on familial status or disability and that required activities are being performed on pre-1978 dwelling units occupied by children less than age six when triggered by the regulation? NOTE: The Fair Housing Act prohibits denial of services based on familial status (presence of children under age 18) or disability. [24 CFR 100.50(b)(2); 24 CFR 35.1015]	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion:		

For HOME-Funded Support Services and Operations Projects Only:

16.

Although no rehabilitation is performed on this housing, during its monitoring for compliance with housing quality standards during the period of affordability, does the program participant review HOME rental project owners' records to ensure that ongoing maintenance is being performed in accordance with 24 CFR 35.1355? [24 CFR 35.1015(c), 24 CFR 92.504(d)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion:		